

## COMBINED DECLARATION AND PETITION



As a below named inventor, I hereby declare that:

This declaration is of the following type:

- |                                     |                       |                          |                      |
|-------------------------------------|-----------------------|--------------------------|----------------------|
| <input type="checkbox"/>            | original              | <input type="checkbox"/> | divisional           |
| <input type="checkbox"/>            | design                | <input type="checkbox"/> | continuation         |
| <input type="checkbox"/>            | supplemental          | <input type="checkbox"/> | continuation-in-part |
| <input checked="" type="checkbox"/> | national stage of PCT |                          |                      |

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled MICRONISED PHARMACEUTICAL COMPOSITIONS, the specification of which:

- (a) ☒ is attached hereto
- (b) ☐ was filed on \_\_\_\_\_ as Application Serial No. \_\_\_\_\_ and was amended on \_\_\_\_\_ (if applicable).
- (c) ☐ was described and claimed in PCT International Application No. \_\_\_\_\_, filed on \_\_\_\_\_ and as amended under PCT Article 19 on \_\_\_\_\_ (if any).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, § 1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, § 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application of which priority is claimed.

- (d) ☐ no such applications have been filed
- (e) ☒ such application have been filed as follows:

Country (or indicate if PCT)	Application Number	Date of Filing (day, month, year)	Priority Claims Under 37 USC 119
GB	9820746.7	9/23/98	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
PCT	GB99/03172	9/22/99	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
			<input type="checkbox"/> Yes <input type="checkbox"/> No
			<input type="checkbox"/> Yes <input type="checkbox"/> No

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(a), regarding events which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

Application Serial No.	Filing Date	Status-patented, pending, abandoned

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code; and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Wherefore I pray that Letters Patent be granted to me for the invention or discovery described and claimed in the foregoing specification and claims, and I hereby subscribe my name to the foregoing specification and claims, declaration, power of attorney, and this petition.

1-00  
Full Name of Sole or First Inventor:

Richard Anthony FLYNN

Inventors Signature:

*R. Flynn*

Date Signed:

12 March 2001

Residence (City, State and/or Country):

Kent, United Kingdom GBX

Citizenship:

GB

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2-00  
Full Name of Second Inventor:

Martin Harris GOLDMAN

Inventors Signature:

*M. Goldman*

Date Signed:

12 March 2001

Residence (City, State and/or Country):

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Citizenship:

GB

Post Office Address (Street, City, State, Zip Code, Country):

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3-00  
Full Name of Third Inventor:

James Richard LOVELY

Inventors Signature:

*James Lovely*

Date Signed:

12 March 2001

Residence (City, State and/or Country):

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Citizenship:

GB

Post Office Address (Street, City, State, Zip Code, Country):

65 Longridge Road, London SW5 9SG, UK

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PATENT &amp; TRADEMARK OFFICE

## CERTIFICATE OF MAILING

I hereby certify that on \_\_\_\_\_, this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service with sufficient postage in an envelope addressed to: Commissioner of Patents and Trademarks, Washington, DC 20231.

37 C.F.R. § 1.8(a)

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37 C.F.R. § 1.10

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EL59128424645

Angela Wendel  
Name of Person Signing: ANGELA WENDEL

PATENT

Applicant: **Flynn et al.**Serial No.: **Unknown**

Filed:

Title: **MICRONISED**

**PHARMACEUTICAL  
COMPOSITIONS**

Examiner: **Unassigned**Group Art Unit: **Unassigned**Atty Docket No.: **UDL-11**

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

POWER OF ATTORNEY BY ASSIGNEE  
AND EXCLUSION OF INVENTOR UNDER 37 C.F.R. § 1.32

Assistant Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

Pharmax Limited, having become the owner of all rights in and to the above-identified application by virtue of an Assignment executed by the inventors, said Assignment being submitted concurrently herewith for recording, hereby appoint the following as the attorneys of record with full power of substitution and revocation, to transact all business in the Patent and Trademark Office and before competent International Authorities connected with above-referenced patent or patent application; said appointment to be to the exclusion of the inventors and their attorneys in accordance with the provisions of 37 C.F.R. § 1.12:

C. BERMAN, REG. 29249  
L. J. BOVASSO, REG. 24,075  
M. E. BROWN, REG. 28,590  
B. CANTER, REG. 34,792  
D.G. CHAPIK, REG. NO. 43,424  
L. C. CULLMAN, REG. 39,645  
C. DARROW, REG. 30,166  
W.G. EDWARDS, REG. NO. 44,426  
M. FARBER, REG. 32,612  
C. A. S. HAMRICK, REG. 22,586

S. R. HANSEN, REG. 38,486  
M. D. HARRIS, REG. 26,690  
M. HEYNINCK, REG. 44,763  
J. W. INSKEEP, REG. 33,910  
H. D. JASTRAM, REG. 19,777  
A. KAMRATH, REG. NO. 28,227  
D. N. LARSON, REG. 29,401  
J. LAZARIS, REG. 45,981  
C.J. LERVICK, REG. NO. 35,244  
K. A. MACLEAN, REG. 31,118

D. MCKINLEY, REG. NO. 42,867  
C.A. MORTON, REG. NO. 44,954  
S. OH, REG. P45,583  
W. POMS, REG. 18,782  
A. C. ROSE, REG. 17,047  
C. ROSENBERG, REG. 31,464  
G. P. SMITH, REG. 20,142  
R.S. TAMURA, REG. 43,179  
G.B. WOOD, REG. 28,133

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whose address is:

**OPPENHEIMER WOLFF & DONNELLY LLP**

Attn: Louis C. Cullman, Esq.

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Newport Beach, CA 92660

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The undersigned has reviewed all the documents in the chain of title of the patent application identified above and, to the best of undersigned's knowledge and belief, title is in the assignee identified above.

The undersigned, whose title is supplied below, is empowered to act on behalf of the assignee.

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Pharmax Limited

Dated: 14 MARCH 2001

  
Name: **ANDREW LIVINGSTONE**  
Title: **COMPANY SECRETARY**